

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE</b>
<b>STACY SHANHOLTZ</b>	*	<b>MARYLAND STATE BOARD</b>
<b>Respondent</b>	*	<b>OF PHARMACY</b>
<b>Registration No. T04346</b>	*	<b>Case No. 23-307</b>

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**ORDER FOR SUMMARY SUSPENSION**

The Maryland Board of Pharmacy (“the Board”) hereby **SUMMARILY SUSPENDS** the registration of **Stacy Shanholtz** (“the Respondent”), Registration Number **T04346**, to practice as a pharmacy technician in the State of Maryland. The Board takes such action pursuant to its authority under Md. Code Ann., State Gov’t § 10-226(c) (2022 Repl. Vol.) and Md. Code Regs. (“COMAR”) 10.34.01.12, having concluded that the public health, safety, or welfare imperatively requires emergency action.

**INVESTIGATIVE FINDINGS**

The Board has reason to believe that the following facts are true: <sup>1</sup>

1. At all relevant times, the Respondent was registered to practice as a pharmacy technician in the State of Maryland. The Respondent was originally registered to practice in Maryland on or about March 6, 2009. The Respondent’s registration is currently active through May 31, 2024.

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<sup>1</sup> The statements regarding the Respondent’s conduct are only intended to provide the Respondent with notice of the basis for the Board’s action. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in this matter.

2. At all relevant times, the Respondent was employed as a pharmacy technician at an independent pharmacy (“the Pharmacy”)<sup>2</sup> in Hagerstown, Maryland.

3. In an e-mail dated February 4, 2023, the Pharmacy Owner notified the Board that he terminated the Respondent’s employment after discovering that she stole controlled substances from the Pharmacy. The Pharmacy Owner forwarded the Board a copy of the DEA (Drug Enforcement Agency) Form 106 – Report of Theft or Loss of Controlled Substances that he completed in this matter (“the Report”) as well as data from the Pharmacy’s software system.

4. In the Report, the Pharmacy Owner stated that the Respondent diverted a large quantity of oxycodone-acetaminophen (an opioid and Schedule II controlled dangerous substance (“CDS”)) by creating fake patient profiles and manipulating data in the Pharmacy’s software system to avoid detection.

5. In the Report, the Pharmacy Owner listed the following lost CDS:

<b>Trade Name</b>	<b>NDC Number</b>	<b>Dosage Str.</b>	<b>Quantity Lost/Stolen</b>
Oxycodone-Acetaminophen 10-325 mg tablet	31722095105	10 mg - 325 mg	4,493
Oxycodone-Acetaminophen 5-325 mg tablet	31722094905	5 mg - 325 mg	180
Oxycodone-Acetaminophen 10-325 mg tablet	42858010450	10 mg - 325 mg	1,860
Oxycodone-Acetaminophen 7.5-325 mg tablet	31722095005	7.5 mg - 325 mg	1,230

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<sup>2</sup> For confidentiality and privacy purposes, the names of individuals and facilities involved in this case are not disclosed in this document. The Respondent may obtain the names of all individuals referenced in this document by contacting the Administrative Prosecutor.

6. In the Report, the Pharmacy Owner stated that the CDS taken had a purchase value of \$3,000 and that pharmaceuticals or merchandise taken had an estimated value of \$10,000.

7. In the Board's November 14, 2023 interview with the Pharmacy Owner, he stated that on one occasion in October 2022, the Pharmacy's computer system alerted him that a patient he was not familiar with was attempting to fill an oxycodone prescription for cash. In response, he reviewed the patient profile and found that a similar prescription was filled under this patient profile one week prior. He then directed Pharmacy staff to locate the original prescription. Pharmacy staff were unable to find the prescription. The following morning, he spoke to the Respondent, who admitted that she "had a problem" and was responsible for the missing prescription. The Respondent was suspended and asked to turn in her key. Subsequent review of the electronic record system revealed that the Respondent created several fictitious patient profiles.

### **CONCLUSIONS OF LAW**

Based on the foregoing investigative findings, the Board concludes, as a matter of law, that the public health, safety, or welfare imperatively requires emergency action in this case, pursuant to Md. Code Ann., State Gov't § 10-226(c)(2) and COMAR 10.34.01.12.

### **ORDER**

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 29th day of November 2023, by a majority of the quorum of the Board, hereby:

**ORDERED** that pursuant to the authority vested in the Board by Md. Code Ann., State Gov't § 10-226(c)(2) (2022 Repl. Vol.), the Respondent's registration to practice as a pharmacy technician in the State of Maryland under registration number T04346 is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that the Respondent is prohibited from practicing as a pharmacy technician in the State of Maryland; and it is further

**ORDERED** that the Respondent shall immediately return all registrations to the Board; and it is further

**ORDERED** that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing. A request for a post-deprivation show cause hearing must be in writing and be made **WITHIN THIRTY (30) DAYS**; and it is further

**ORDERED** that if the Respondent fails to request a post-deprivation show cause hearing in writing in a timely manner, or if the Respondent requests a post-deprivation show cause hearing but fails to appear when scheduled, the Respondent's registration will remain **SUSPENDED**; and it is further

**ORDERED** that this **ORDER FOR SUMMARY SUSPENSION** is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2019).

November 29, 2023  
Date



Deena Speights-Napata, M.A.  
Executive Director

*for*

Neil B. Leikach, R.Ph., M.Sc., Board President  
Maryland Board of Pharmacy